



UPPER UWCHLAN TOWNSHIP
Planning Commission Meeting
March 10, 2016
Minutes
Approved

LOCATION: Pickering Valley Elementary School
121 Byers Road, Chester Springs, PA 19425

In Attendance:

Bob Schoenberger, Chair, Sally Winterton, Vice-Chair, Joe Stoyack, Bob Phillips, Chad Adams, MaryLou Lowrie, P.E. – Gilmore & Associates; Gwen Jonik, Planning Commission Secretary

Bob Schoenberger called the meeting to order at 7:31 p.m. as a quorum was present. Approximately 30 residents were in attendance.

Gunner Properties 270-290 Park Road Revised Land Development Plan

Alyson Zarro, Esq. - Riley Riper Hollin and Colagreco, Fred Gunther and Chase Gunther – Gunner Properties, Denny Howell, P.E. – D.L. Howell, Mike Ryan – ARGUS were in attendance.

Ms. Zarro presented a revised Land Development Plan (revised January 27, 2016) for Gunner Properties 270-290 Park Road project. A Conditional Use Hearing was held and the Plans were revised in response to comments from the Township consultants, the Planning Commission and the Board of Supervisors.

The revisions include the reduction in the number of townhomes, from 44 to 40, the entire plan has been shifted to the west, the open space has been shifted toward the back, 13 off-street parking spaces have been separated into 3 areas throughout the complex, all of the townhomes are 24' wide with 2-car garages, there are 153 parking spaces, and there's a slight reduction in overall impervious cover.

In response to Commission members' questions:

There will be a Homeowners Association and they'll be responsible to the private road and open space. The 13 off-street parking spaces aren't meant for long-term parking, such as a family's 3rd vehicle.

They will comply with all of the comments contained in Gilmore & Associates March 4 letter. Regarding the crosswalk markings, they propose painted markings as it's easier to maintain paint rather than stamped concrete. If the crosswalks are in the Township right-of-way, it might be the Township's responsibility to maintain. They should match the stamped concrete at Ticonderoga Boulevard, which is holding up well. Stamped asphalt is an option. The Applicant will work with the Township to determine the crosswalk marking method.

Mike Ryan displayed an updated elevation for the couple units that face Park Road. They've differentiated the roofline features, the front façades and are recessing the garage doors. During the conditional use hearing they agreed to a mix of brick and concrete siding for the front facades.

The Planning Commission members did not like the updated front facades - too much brick, uninteresting, too utilitarian. The units are 3-story and should be broken up and features added to make them more interesting. Mr. Gunther commented that he thought the building renderings submitted with the conditional use application were closer to what the Village Concept Committee would want but they redesigned according to Township consultant comments; however, they can be further revised.

Mr. Ryan showed a view of the rear of the units – same color siding on all units, white trimmed windows and balconies. A lot of the units will face the woods at the back of the property.

Ms. Zarro reiterated the requested waivers:

1. Consider the Land Development Plans for Preliminary and Final approval. The architecture of the buildings will be worked out satisfactorily.
2. An interior street width of 28' rather than 32'.
3. A private street serving more than 5 homes.
4. Park Road will not be widened; Park Road shoulder won't be widened but they'll adjust the radii for future widening.
5. The 2 accesses will be 212' apart rather than the 1000' required. Safe sight distance has been established.
6. Not widen park road
7. Allow Belgian block curbing.

Sally Winterton moved that the Planning Commission recommend Final Plan Approval with the understanding there will be an ad hoc committee to look at the elevations, particularly the front facades in the near future. Joe Stoyack seconded and the Motion carried unanimously.

The Hankin Group Minor Subdivision Plan – Eagleview Corporate Center Lot 1

Denise Yarnoff, Esq. – Riley Riper Hollin and Colagreco, Neal Fisher, P.E. – The Hankin Group and Mike Malloy, Esq. – The Hankin Group were in attendance.

Mr. Fisher displayed a drawing of the overall Eagleview Corporate Center, over 800 acres in Upper Uwchlan and Uwchlan Townships. Lot #1 is 72 acres, all in Upper Uwchlan, and Hankin is proposing a 4-lot subdivision. The building currently under construction on Lot 1 would be one of the new lots. There are natural features that create natural barriers, and they're proposing the subdivision following those natural barriers. There is no land development proposed at this time, only the subdivision. They request acceptance of the Plan for review by township consultants.

Joe Stoyack moved, seconded by Chad Adams, to accept the Eagleview Corporate Center Lot #1 Subdivision Plan for township consultant review. The Motion carried unanimously.

The Hankin Group Conditional Use Application – Eagleview Corporate Center Lot #1

Mr. Fisher introduced a new conditional use submission and provided a brief history of Lot #1's land development. A Land Development Plan was submitted in 2008 for an 80,000 SF flex-space building for office, warehouse, lab, or a mix of those uses. The Plan received Final Land Development approval in 2013. Late 2015, Hankin submitted a conditional use application for a manufacturing use for a potential tenant, DSM Biomedical. DSM had previously purchased Kensey-Nash. Kensey Nash developed equipment used in heart plaque removal procedures, and they created a material that is used for filling bones. DSM is worldwide, with 25,000 employees, and they want to bring their California operation of manufacturing silicone hydrogel here, near their existing facility. Hankin was before the Planning Commission in December 2015 regarding the conditional use application seeking a recommendation for the manufacturing use – a portion of the Lot #1 building will be used for office, warehouse, research and development, and manufacturing.

The Planning Commission had provided a recommendation with 3 conditions: if the manufacturing process changed, if the amount of manufacturing space changed, or if different permits or approvals were required, Hankin would have to return to the Township for conditional use review. During the Conditional Use Hearing process, it was discovered that outside storage of materials wasn't permitted. Hankin withdrew the Application and re-evaluated the use, the building, and the storage of materials.

With this current Conditional Use Application, the storage of materials has been brought inside. Mr. Fisher stated the Township Fire Marshal has okayed the proposed sprinkler system, and this Application complies with current zoning ordinances. The Hankin Group requests the Planning Commission recommend approval of the Conditional Use with the same 3 conditions previously recommended.

Planning Commission members had the following questions/comments. *The responses are in italics.*

Is there other manufacturing in Eagleview? *Yes, DSM's existing facility, West Pharmaceutical in Uwchlan, printing presses.*

Those businesses use cleaning agents and materials that would be used here? *Yes, these are the types of businesses that are encouraged to lease/buy in Eagleview – pharmaceuticals or pharmaceutical related.*

For the safety of the residents, can we hear from the experts Mr. Fisher has with him?

The experts referred to here are Anthony Sarrack, PE from Baker Risk;
Carl Bones, PE from Marathon Engineering & Environmental Services;
Chris McQuail AIA, LEED AP from Arcus Design Group-Architects;
Christopher Radano, PhD from DSM Biomedical; and
Mark DiPrinzio from Environmental Resource Management.

Mr. Fisher advised that the storage area inside the building will be prepared for the highest level of safety. They've worked with the County's Hazardous Material Team; there's an emergency action plan prepared, it will be properly constructed, proper ventilation, secondary containment in place.

Planning Commission members' questions/comments follow.

Why is acetone used and is the manufacturing of the silicone hydrogel a 'reaction'. Mr. Radano advised the acetone is used for cleaning purposes, and the manufacturing process is a mixture, not a reaction. There is nothing under pressure, just mixing.

What agency review / permitting was required. Mr. DiPrinzio advised there are various State, Federal and County agencies that will inspect the facilities. Mr. Fisher advised that DSM inspects their facility on a consistent schedule as well.

How far are the interior tanks from the residential property line? Mr. Fisher advised the distance is 400', separated by the building and the property buffer zone. The storage will be in the northern corner and farthest away from residential.

The building will be a brick building? *Yes.*

Is there a public trail in near proximity? *Yes, the trail from Hickory Park runs along Sierra Drive, which is 100' feet away.*

How will the acetone get transferred from the truck to the storage tanks? Mr. Fisher advised it is transferred from the truck using the truck hose to a quick-connect connection at the tank.

Why does the room need ventilation? Mr. Fisher advised that whenever there is a roof, there's has to be ventilation.

What about spill containment? Mr. Fisher replied the required secondary containment is a second reservoir within the building that can hold the entire contents of what's in the tanks.

Is acetone under pressure? Mr. Bones replied no. It is in a liquid form naturally. Mr. Fisher advised it will have a nitrogen blanket which inhibits the formation of vapors.

Is there a secondary containment area where truck unloads? Mr. Fisher answered yes.

Will the tanks be single or dual wall? Mr. Bones isn't sure what is planned for this particular situation but it will be built within industry standards; most likely a single wall.

Fire suppression system would be foam as acetone and water don't go well.

What is the tank material, and size? The tanks will be hardened steel, vertical, @ 8' diameter, 12' tall.

Will equipment like forklifts be used around these tanks? Mr. Bones replied no, and it's a closed system.

What are the building materials for the storage room? Mr. Fisher replied the enclosure is metal panel and brick that meets the building codes.

Chad Adams suggested the whole enclosure be masonry, for increased safety reasons, to protect anything from outside the building penetrating where the tanks are located. Mr. Fisher asked if the whole enclosure was masonry if that would meet the Commission's approval. The Commission members responded it would be much better if it was all brick. That would also protect against vandalism.

Before this business could go into operation, who/how does it get permitted and inspected? Mr. DiPrinzio said that acetone will need registration permits from the State, the tanks will be inspected and approved and installed by licensed professional tank installers. The inspectors are licensed by the State.

There would be annual inspections by the State.

What about the disposal of the waste acetone? Mr. Fisher said it would follow the same process coming out as it does going in, via a licensed hauler, and a quick connect hookup.

Resident questions/concerns follow.

Are there any CDC guidelines available? He's read acetone leaks can lead to liver and cancer issues, and he's concerned about air quality. Mr. Fisher replied this Use is exempt from air quality permits because they're below the thresholds that require it.

Do the other businesses in Eagleview know this is proposed?

Are there other buildings in Eagleview in Uwchlan Township that store materials? Mr. Fisher replied that the West Company has exterior storage separated from the building, though he isn't knowledgeable of the contents or size. He reiterated there is secondary containment and the contents can't get into the storm water drains. Regarding any discharge into the wastewater system, any discharge from inside any facility is reviewed by wastewater engineers. Only normal office building human waste would enter the wastewater system.

Why does DSM want to move here? Mr. Malloy commented that the California facility is on a fault line which is becoming more of an issue and there's no room to expand at that site.

What about hazardous plans? Mr. Fisher advised an emergency preparedness/chemical release plan is in place.

What's the most dangerous material, and what if all else fails? Mr. Bones replied acetone is the most hazardous material proposed for storage here. Someone would have to be exposed for a long time before there would be any liver damage. This Use won't meet that level.

How much acetone will be stored and what happens if it goes up? 6,000 gallons. Mr. Sarrack advised that if the 6,000 gallons of acetone went up, it would fill the room it is in but would have a negligible impact on the surroundings past the room. It would stay on-site and wouldn't have impact to the property line.

What's the size of the delivery vehicles? Mr. Fisher said the vehicles would hold 6,300 gallons – an 18-wheeler.

Have there been any accidents with acetone? No one was aware of any in this area.

How does the finished silicone hydrogel get removed from the site? Mr. Fisher advised it's a benign product that gets trucked out.

What if DSM changes what it is manufacturing? Mr. Fisher replied Hankin would have to return to the Township Supervisors to re-open the Conditional Use process. Hankin has to come to the Township for any manufacturing use in Eagleview.

If a business like this leaves, what remediation has to occur? Chad Adams said a Phase I environmental study is standard business practice.

The secondary containment area has to hold 110% of the stored materials.

There was a brief exchange regarding OSHA and fire codes in regard to the manufacturing process. Mr. Fisher replied that all processes will be in compliance.

Where do the tank filling/drawing vapors go? Mr. Fisher said they go back into the delivery vehicle.

Emissions and manufacturing in other LI districts is concerning from a health perspective and for property values too. If it was known that a chemical plant was going to be allowed nearby, they wouldn't have bought a home here.

Comments were exchanged regarding the reference to a chemical plant. This is a manufacturing process, not a chemical plant.

Eagleview is a mixed use area. It has residences, offices, warehouses, restaurants, light manufacturing.

Chad Adams and Joe Stoyack explained the difference between current zoning's allowable uses and the conditional use process.

Steve Layne commented that he found the chemical plant Facebook page to be overly reactionary. A lot of these businesses were here before anyone moved into the Township. There were dangerous things in the Township before that.

Bob Schoenberger advised that the use of the School had been arranged until 9:00 p.m., which has since passed.

Joanne McNaughton asked Mr. Fisher if Hankin could comply with all of the requirements of Township Code 200.49M1, specifically that all materials stored are "immediately consumed". Mr. Fisher replied yes, as those materials would be constantly utilized and removed every 2 weeks, the normal production cycle.

Mr. Fisher asked the Commission to recommend Conditional Use Approval with the following 3 conditions:

1. If more than 50,000 SF is necessary for the manufacturing process, the Hankin Group must return to the Township and re-open the Conditional Use process.
2. If the manufacturing processes change substantially, the Hankin Group must return and re-open the Conditional Use process.
3. The Applicant must comply with prevailing State and environmental regulations.

Chad Adams moved to recommend conditional use approval with the 3 conditions above, and that the storage enclosure be fully masonry, that routine inspections and inspection reports be provided to the township, and comply with the Township regulations. Sally Winterton seconded and the Motion carried with four (4) in favor and one (1) opposed (Stoyack).

Approval of Minutes

Joe Stoyack moved, seconded by Bob Phillips, to approve as presented the minutes of the February 11, 2016 Planning Commission meeting. The Motion carried unanimously.

Open Session

There were no comments.

Bob Schoenberger announced the next meeting of the Planning Commission is scheduled for April 14, 2016, and he won't be able to attend that meeting.

Adjournment

Joe Stoyack moved, seconded by Chad Adams, to adjourn the meeting at 9:24 p.m. So moved.

Respectfully submitted,

Gwen A. Jonik
Planning Commission Secretary